

**UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
QUARTERLY ENFORCEMENT REPORT
July 1, 2003 through September 30, 2003**

INTRODUCTION

This is the Food Safety and Inspection Service's (FSIS) Quarterly Enforcement Report. The report provides a summary of the enforcement actions FSIS has taken to ensure that products that reach consumers are safe, wholesome, and properly labeled. Although this report focuses on enforcement actions taken, it is important to recognize that this is only one aspect of the Agency's work. The Agency's main purpose is to protect public health by achieving compliance with laws and regulations.

FSIS inspects products produced in over 6,000 meat, poultry, and egg product plants. Since January 1998, meat and poultry plants have been operating HACCP Systems. Publication of this information is another step in the Agency's commitment to openness and transparency in its work to protect the public from adulterated or misbranded meat, poultry, and egg products.

The report is presented in sections that correspond with the category of action. Activities reported within the categories are either pending or experienced new activity during the reporting period. FSIS also coordinated administrative actions, where regulatory or other authorities were applied in inspected plants and managed USDA participation in criminal cases pending in Federal courts. These actions, along with the thousands of inspections made each day in plants

throughout the country, form strong underpinnings for promoting compliance with food safety laws. Each section of this report is described and reported in more detail as follows:

FSIS ENFORCEMENT PROCESSES
NONCOMPLIANCE RECORDS AND APPEALS
PRODUCT CONTROL ACTIONS
LETTERS OF WARNING
ADMINISTRATIVE ACTIONS
CRIMINAL ACTIONS
CIVIL ACTIONS

FSIS ENFORCEMENT PROCESSES

USDA's Food Safety and Inspection Service (FSIS) is charged with ensuring that meat, poultry, and egg products are safe, wholesome, and properly labeled. FSIS, in cooperation with State counterparts, inspects, monitors, and verifies the proper processing, handling, and labeling of meat and poultry products from the delivery of animals to the slaughterhouse until the products reach consumers. FSIS, in cooperation with FDA and the states, provides similar coverage for egg products – the processed whole egg ingredients used in manufacturing other foods. (More information concerning egg products inspection and enforcement is provided in the FSIS publication "Focus on Egg Products" that can be accessed at:

<http://www.fsis.usda.gov/oa/pubs/eggprod.htm>. If FSIS detects problems with any products it regulates, the Agency takes product control and enforcement measures to protect consumers.

USDA conducts monitoring and verification activities at plants that slaughter food animals and process products to ensure that products at these establishments are produced in a sanitary environment and potential food safety hazards are identified and eliminated. These establishments must apply for a grant of inspection from FSIS and demonstrate the ability to meet certain requirements for producing safe, wholesome, and accurately labeled food products. Requirements include meeting sanitation, facility, and operational standards, and having preventive systems in place to ensure the production of safe and unadulterated food. Products from official establishments are labeled with the mark of inspection, indicating that they have been inspected and passed by USDA and can be sold in interstate commerce.

FSIS uses investigators throughout the chain of distribution to detect and detain potentially hazardous foods in commerce and to investigate violations of law. Even if products are produced under conditions that are safe and sanitary, abuse can occur on their way to the consumer. For example, if foods are transported in trucks that are too warm, or if exposed to contamination, then that can result in product that can cause illness or injury.

FSIS also works closely with USDA's Office of Inspector General (OIG), which assists FSIS in pursuing complex criminal cases. In addition, many state and local jurisdictions have enforcement authorities that apply to USDA-regulated products. FSIS cooperates with these other jurisdictions in investigations and case presentations. FSIS also participates with OIG and the U.S. Department of Justice in monitoring conditions of probation orders and pretrial diversion agreements developed to resolve cases.

This report provides a summary of enforcement actions, including actions that address the Pathogen Reduction/HACCP regulatory requirements FSIS has taken to ensure that products that reach consumers are safe, wholesome and properly labeled. The Agency recognizes that this report is a snapshot in time of a dynamic process. Some information will be out-of-date by the time this report is published. For example, many matters shown as under appeal will have been resolved by the time this report is published. Other actions could be appealed or closed after this reporting period. This information will be updated on a quarterly basis and made available to the public through future reports.

NONCOMPLIANCE RECORDS AND APPEALS

FSIS inspection program personnel perform thousands of inspection procedures each day to determine whether or not inspected plants are in compliance with regulatory requirements. Each time inspection program personnel make a non-compliance determination they complete a report explaining the nature of the regulatory action. They notify plant managers of problems through a written Noncompliance Record (NR).

NRs document noncompliance determinations that occur in the plant's sanitation and other controls and notify the plant that it must take action to remedy a problem and prevent its recurrence. If this is done, then the plant will continue to operate without interruption. Problems reported on NRs vary from minor labeling discrepancies to serious breakdowns in food safety controls. When noncompliance occurs repeatedly, or when the plant fails to prevent adulterated product from being produced or shipped, FSIS takes action to control products and may take an action to withhold or suspend inspection.

During this quarterly reporting period, FSIS performed 1,666,482 HACCP verification procedures. **Table 1a** provides numbers of NRs issued by FSIS inspection personnel between July 1, 2003 and September 30, 2003. **Table 1b** shows the number of appeals and the dispositions of the appeals filed by plants during this reporting period.

Table 1a. Noncompliance Record Totals

NR Totals

NRs Issued (7/01/03 to 9/30/03): **34,898**

Table 1b. Appeals NRs (7/01/03 to 9/30/03)

Number of Plants Filing Appeals: 181

Appeal of NR Granted	Appeal of NR Denied	Appeal of NR Pending	Total Appeals Resulting In Modified NR	Total NRs Appealed
178	190	20	102	490

PRODUCT CONTROL ACTIONS

FSIS takes product control actions to gain physical control over products when there is reason to believe they are adulterated or misbranded. The actions ensure that those products do not enter commerce or, if they are already in commerce, that they do not reach consumers.

In official establishments, FSIS inspectors may retain products whenever there is evidence of unwholesomeness, or if products are adulterated or mislabeled. FSIS inspectors condemn animals for disease, contamination, or adulteration to prevent their use as human food. Figures for condemnations of livestock for the reporting period are as follows: FSIS inspected 25,121,429 livestock carcasses, of which 56,998 carcasses were condemned. FSIS inspected 1,717,950,388 poultry carcasses of which 8,293,998 carcasses were condemned.

Detentions

After products are distributed from plants, FSIS investigators detain any that may be adulterated or misbranded. If product disposition cannot be made within 20 days, then FSIS may request a federal court to seize the product (see Civil Actions). Most detentions result in voluntary disposal of the product and do not require court seizures. **Table 2** provides the number of detentions and the pounds of product involved in these actions for meat and poultry for this quarterly reporting period. The information is reported for each Compliance and Investigation Division (CID) region, now part of the new Office of Program Evaluation, Enforcement and Review. The information was previously reported by each FSIS District Office. This change is because of the Agency's recent reorganization.

**Table 2. Detention Summary
(7/01/03 to 9/30/03)**

Detentions

Total number of detentions by FSIS	68	
Total pounds of product detained	9,267,704	
CID Region	Detentions	Pounds Detained
WESTERN	24	72,775
SOUTHEAST	5	159,079
MIDWEST	7	8,637,574
SOUTHWEST	11	55,594
GREAT PLAINS	9	55,188
NORTHEAST	13	287,545
Totals	<hr/> 68	<hr/> 9,267,704

Recalls

A recall is a voluntary action by a firm to remove adulterated, misbranded, or suspect products from distribution. FSIS cannot require recalls but can recommend and monitor those that occur. Class I recalls involve a health hazard for which there is a reasonable probability that the use of the product will cause serious adverse health consequences or death. Class II recalls involve a potential health hazard when there is a remote probability of adverse health consequences from use of the product. Class III recalls involve a situation in which use of the product is not likely to cause adverse health consequences. For current information on recalls, go to the FSIS recalls web page at: http://www.fsis.usda.gov/oa/recalls/rec_intr.htm.

Port-of-Entry Reinspection

FSIS conducts port-of-entry reinspections of imported meat, poultry, and egg products. It is important to note that this activity is a reinspection of products that have already been inspected and passed by an equivalent foreign inspection system. Thus, imported product reinspection is a monitoring activity for verifying on an on-going basis the equivalence of a foreign country's inspection system.

Port-of-entry reinspection is directed by the Automated Import Information System (AIIS), a centralized computer database that generates reinspection assignments and stores results. After clearing U.S. Customs and the Animal and Plant Health Inspection Service, every imported meat, poultry, or egg product shipment must be presented to FSIS.¹ When a meat or poultry shipment is presented for reinspection, the AIIS scans its records to verify eligibility. Shipments are denied reinspection and refused entry if the foreign country is not eligible to export to the United States, if the establishment that produced the product has not been certified for export to this country, if the product presented for reinspection is not eligible, if the shipping marks are not unique, or if APHIS has animal health restrictions on the country.

All imported product shipments are reinspected for general condition, labeling, proper certification, and accurate count. In addition, other types of inspection (TOI) may be generated by the AIIS. These could include a physical examination of the product for visible defects, collection of samples for microbiological analysis, sampling for food chemistry analyses, and

¹ Egg products are imported only from Canada. Dry egg products may be reinspected at the border or may proceed directly to their destination for reinspection. Liquid egg products are always reinspected at their destination for food safety reasons. Egg product reinspections are presently scheduled separately from meat and poultry, but will be brought under the AIIS in FY2004.

samples to be analyzed for drug and chemical residues. Shipments are randomly selected for reinspection using a statistical sampling plan that allocates samples by HACCP process categories. The level of sampling is based on the volume imported from the country within each category. Products that fail reinspection are rejected and must be re-exported, converted to non-human food, or destroyed. Product rejections cause the AIIS to automatically generate an increased rate of reinspection for future shipments of like product from the same establishment.

This HACCP-based sampling approach began in August 2002 as the new AIIS3 system was launched, and was fully implemented in the quarter beginning October 1, 2002. Implementation of AIIS3 provides an opportunity for FSIS to present meat and poultry reinspection data in a new reporting format that has been constructed to better represent reinspection results (**Table 3a**).

This new format is based on pounds of product rather than lots of product because the lotting of product for reinspection is a commercial decision made by the importer or broker, and the term “lot” has no regulatory definition. **Table 3b** presents egg product reinspection results in the same format they appear in past quarters, minus lots for the reason given above. The new reporting format will be applied to these products when they are incorporated into the AIIS3 system. It should be noted that data reports at the end of a fiscal quarter are the best available information for reinspection activities conducted during the preceding three months, but those data are preliminary until all ongoing inspection activities are completed. For example, pending reinspection activities include open TOI’s, in particular samples taken for laboratory analysis, but also could include organoleptic product examinations, and refused entries which may stay open for up to 45 days. A report of quarterly reinspection data will not be “final” until all open entries are closed. These normally small adjustments in past quarter data will be reflected in subsequent quarterly reports.

**Table 3a. Imported Meat and Poultry Products
Pounds of Product by Fiscal Year Quarter**

Presented, Reinspected, and Refused Entry

Quarter	FY2003						
	Presented	Refused ¹	Reinspected	TOIs Perf ²	Accepted	Rejected ³	Combined Rejected and Refused
Q-1 (Oct – Dec)	967,018,852	151,722	60,915,420	8,469	965,399,921	1,467,209	1,618,931
Q-2 (Jan – Mar)	993,540,775	64,835	64,574,848	7,480	992,228,381	1,247,559	1,312,394
Q-3 (Apr – Jun)	957,849,732	9,313	64,683,553	6,819	956,182,967	1,657,452	1,666,765
Q-4 (Jul – Sep)	847,218,859	156,612	58,473,672	6,696	845,200,596	1,861,651	2,018,263
Cumulative Totals	3,765,628,218	382,482	248,647,493	29,464	3,759,011,865	6,233,871	6,616,353

**Table 3b. Imported Egg Products
Pounds of Product by Fiscal Year Quarter**

Presented, Reinspected, and Refused Entry

QUARTER	PRESENTED	REFUSED ⁴
Q-1 (Oct – Dec)	2,730,930	50
Q-2 (Jan – Mar)	3,282,424	290
Q-3 (Apr – Jun)	1,942,056	0
Q-4 (Jul – Sep)	3,173,729	0
Cumulative Totals	11,129,139	340

¹ Products are refused reinspection if: (1) the foreign country is not eligible; (2) the foreign establishment is not listed; (3) Animal and Plant Health Inspection Service (APHIS) has placed animal disease restrictions on the country; (4) product presented for reinspection is not eligible; and (5) duplicate shipping marks.

² Types of Inspection. The number of reinspections performed during the quarter.

³ Products are rejected if product presented for reinspection fails to meet U.S. import requirements.

⁴ Refused entry and rejected upon reinspection data are collapsed in the present egg products database, but will be separated when this commodity is incorporated into the AII3 in FY2004.

NOTICES OF WARNING

FSIS issues Notices of Warning (NOW) for minor violations of law that are not referred to United States Attorneys for prosecution. FSIS may also issue these warnings when a United States Attorney declines to prosecute a case or bring action against a specific business or person. These letters warn that FSIS may seek criminal action based on continued violations. Notices of Warning may be issued to any individual or business, including Federal plants, wholesalers, distributors, restaurants, retail stores and other entities that process, store, or distribute meat and poultry products. **Table 4** shows Notices of Warning issued by the Office of Program Evaluation, Enforcement and Review (OPEER) headquarters office and by each of the CID Regions during the reporting period.

**Table 4. Notices of Warning for Criminal Actions
(7/01/03 to 9/30/03)**

Notices of Warning for Criminal Violations

Total number of NOWs issued for violations: 112
Number issued by Headquarters: 3

CID Region	Number of NOWs Issued by Regions
WESTERN	41
SOUTHEAST	12
MIDWEST	8
SOUTHWEST	8
GREAT PLAINS	3
NORTHEAST	37
	<hr/>
Total number issued by Regions	109

ADMINISTRATIVE ACTIONS

FSIS inspects meat and poultry products and applies the marks of inspection when inspectors are able to determine that products are not adulterated. FSIS may temporarily withhold the marks of inspection from specific products, suspend inspection, or withdraw a grant of inspection if a plant is not meeting regulatory requirements.

Effective January 25, 2000, FSIS amended its Rules of Practice that apply to Agency enforcement actions. The Rules of Practice, which are located in 9 CFR Part 500, define each type of enforcement action FSIS can take, the conditions under which it is likely to take these actions, and the procedures FSIS will follow in doing so.

Withholding the Marks of Inspection

If a plant fails to prevent preparation and shipment of adulterated products or develops a pattern of noncompliance showing the plant's sanitation or process control systems have failed, FSIS may notify plant managers that the USDA mark of inspection is being withheld from some or all of the products in the plant. This action effectively shuts down affected operations, because it is illegal to sell products in interstate commerce that do not bear the USDA mark of inspection.

Other non-affected parts of the plant, if any, may still operate.

Suspension of Inspection

FSIS may temporarily suspend the assignment of inspectors if a plant fails to prevent preparation and shipment of adulterated products, fails to present a corrective action plan to bring the plant sanitation or process control systems into compliance, or for other reasons specified in the Rules of Practice. As with withholding actions, a suspension shuts down all or part of the plant's operations. USDA may place the suspension in abeyance if corrections are presented, put into effect, and effectively prevent additional problems. FSIS District Offices have established procedures to monitor and verify a plant's corrective and preventive actions.

Notification to Establishments of Intended Enforcement Actions

FSIS has an established procedure to notify establishments of intended enforcement actions related to certain types of noncompliance that have not resulted in actual shipment of adulterated products. Under this procedure, a notice is issued to an establishment when the Inspector-in-Charge determines that the establishment has experienced multiple, recurring noncompliances, or for other reasons, as specified in the Rules of Practice, the establishment has failed to implement

adequate corrective and preventive measures. The Notice informs the establishment of the nature and scope of the noncompliance and that FSIS intends to withhold the marks of inspection or suspend the assignment of inspectors. The Notice explains the basis of and references documentation for the intended enforcement action, and provides the establishment three business days to contest the basis for the proposed enforcement action or to demonstrate how compliance has been or will be achieved. In appropriate situations, USDA may defer a decision based on corrections submitted by the establishment.

Withdrawal of Inspection

In some situations, FSIS may decide that it is necessary to withdraw inspection from a plant. In these cases, FSIS withdraws inspection from a Federal plant by filing a complaint with the USDA Hearing Clerk. The plant may request a hearing before an Administrative Law Judge. If the action is based on insanitation, the plant will remain closed while proceedings go forward. In other cases that do not involve a threat to public health, operations may continue. These actions may be resolved by FSIS and the plant entering into a consent decision, which allows the plant to operate under certain specified conditions. Once inspection is withdrawn, a closed plant must reapply to receive Federal inspection.

As specified in the Rules of Practice, USDA may initiate withholding, suspension, or withdrawal actions to limit a plant's slaughtering or processing, or prevent the plant from operating altogether, based on reasons related to the PR/HACCP regulations such as:

- failure to collect and analyze samples for the presence of generic *E. coli* and record test results,
- failure to develop or implement Sanitation Standard Operating Procedures, or
- failure to develop or implement a required HACCP plan.

In addition, USDA may initiate a withholding, suspension, or withdrawal action for other reasons such as:

- failure to meet “sanitation performance standards,”
- insanitary conditions,
- inhumane handling or slaughtering of livestock,
- failure to destroy condemned product, or
- interference with inspection personnel.

Tables 5, 6, and 7 list administrative actions (other than actions based on convictions) by establishment, initiated, pending, or closed, for the period, along with whether the action is based on an SSOP or HACCP Systems failure, or for some other reason, such as inhumane handling.

In some plants, FSIS may find more than one basis for taking enforcement action or may take more than one action. For example, the plant has sanitation problems and is not conducting *E. coli* testing, or a sanitation problem occurs more than once. These tables list actions taken at large, small, and very small plants. The enforcement action can be for any of the identified reasons. During this period, activity is reported concerning 260 plants. Ninety-eight of the actions in these plants were initiated during this reporting period. Ninety-two actions were closed by letters of warning or other means during this period.

Tables 5, 6, and 7 also identify those cases in which an appeal of the suspension action may have been made, along with whether the appeal was granted or the administrative action was sustained (appeal denied). When decisions on appeals have not been made during the period of this report, the appeal is shown as pending and will be reported in the next quarterly report.

There was one appeal of suspension action filed during this period.

**Table 5. Administrative Actions: Large HACCP Plants
(7/01/03 to 9/30/03)**

Administrative Actions Pending or Taken at Large HACCP Plants [includes actions initiated in prior quarters]													
Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
ARMOUR SWIFT-ECKRICH 00003A M02278 P KANSAS CITY, KS			8/28/02	9/4/02		X							
CAGLES, INC. 21234 P PERRY, GA	8/15/03	8/21/03				X							
CLAXTON POULTRY CO INC. 06505 P CLAXTON, GA	6/11/03	7/3/03			X	X							
CON AGRA FOODS POULTRY GROUP 01284 P CANTON, GA	9/19/03				X	X							
CONAGRA BEEF COMPANY 00969 M GREELEY, CO	7/18/02	8/20/02	11/15/02	11/22/02		X				X		9/19/03	Plant produced product that tested positive for E. coli 0157:H7.
CONAGRA d/b/a COOK FAMILY FOODS 00509L M00509L P LINCOLN, NE	2/13/03	2/25/03			X		X						
EMPIRE KOSHER 01015 M01015 P MIFFLINTOWN, PA	7/11/03	8/21/03			X	X	X						
EXCEL CORPORATION 00086E M FRIONA, TX	8/19/03	9/11/03				X				X			Plant produced product that tested positive for E. coli 0157:H7.
			8/21/03	8/21/03				X					

Administrative Actions Pending or Taken at Large HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
EXCEL CORPORATION 00085B M BEARDSTOWN, IL			8/26/03	8/28/03				X					
EXCEL CORPORATION 00086M M SCHUYLER, NE	9/19/03					X							
GOLD KIST INC. 00040 P ELLIJAY, GA	4/23/03					X					9/22/03		
JAC PAC FOODS LTD. 00785 M08567 P MANCHESTER, NH			3/18/03	3/26/03	X	X	X						
KOCH FOODS LLC 00308 P MORTON, MS	5/23/03	6/12/03			X	X							
MAR JAC POULTRY INC. 00032 P GAINESVILLE, GA	6/4/03	6/18/03			X	X							
MOYER PACKING CO. 01311 M01311 P SOUDERTON, PA	9/18/02		11/14/02	9/29/03	X	X							
	3/26/03	4/15/03			X								
PACKERLAND PLAINWELL, INC. 00562 M PLAINWELL, MI	7/28/03	8/7/03			X	X							
PIERCE FOODS DIV. OF CONAGRA 00025 M00021 P MOOREFIELD, WV	6/26/03	7/11/03			X	X							
PILGRIM'S PRIDE CORP. 01096 P HINTON, VA	2/4/03	2/18/03			X								

Administrative Actions Pending or Taken at Large HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					<u>SSOP</u>	<u>HACCP</u>	<u>SPS</u>	<u>INH</u>	<u>INT</u>	<u>Other</u>	<u>LOI</u>	<u>LOW</u>	
SHAPIRO PACKING COMPANY 00332 M AUGUSTA, GA	7/18/03	8/11/03			X	X							
SWIFT BEEF COMPANY 00628 M00628 P HYRUM, UT	10/9/02	1/14/03				X				X			Plant produced product that tested positive for E. coli 0157:H7.
SWIFT BEEF COMPANY 00969G M GRAND ISLAND, NE	11/13/02		11/22/02	11/25/02		X							
			3/12/03	3/17/03		X				X			Plant produced product that tested positive for E. coli 0157:H7.
SWIFT BEEF COMPANY, INC. (CONAGRA) 00477 M NAMPA, ID	4/25/03	5/9/03				X				X	8/27/03		Plant produced product that tested positive for E. coli 0157:H7.
TYSON FOODS, INC. 01241 P CORYDON, IN	5/16/03	5/22/03				X					9/2/03		
TYSON FOODS, INC. 13556 M13556 P SEDALIA, MO	7/3/03	7/17/03			X	X							

Table 6. Administrative Actions: **Small HACCP Plants
(7/01/03 to 9/30/03)**

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]													
Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					<u>SSOP</u>	<u>HACCP</u>	<u>SPS</u>	<u>INH</u>	<u>INT</u>	<u>Other</u>	<u>LOI</u>	<u>LOW</u>	
ADA VALLEY MEAT COMPANY, INC. 10031 M10031 P ADA, MI	4/23/03	4/30/03			X	X						7/11/03	
AL MARWA LLC 09672 M09672 P QUAKERTOWN, PA			5/22/03	5/29/03						X		9/29/03	On 05/22/03, firm violated a regulatory control action by shipping misbranded product.
ALETTER'S OLD FASHIONED MEATS 10691 M10691 P SHERWOOD, AR	8/21/03				X	X							On 09/05/03, DM closed case by firm's requested voluntary withdrawal.
ALFERY'S SAUSAGE COMPANY 09702 M09702 P MT. PLEASANT, PA	7/2/03	7/21/03			X	X	X						
ALLEN FAMILY FOODS 00171 P CORDOVA, MD	5/13/03	5/27/03			X								
ARKANSAS DEPT. OF CORRECTIONS 10624 M GRADY, AR	3/13/03	3/27/03			X	X						9/8/03	
B3R COUNTRY MEATS, LP 13228 M13228 P CHILDRESS, TX	6/6/03	6/12/03				X						9/24/03	
BENTON PACKING COMPANY 10629 M10629 P BENTON, AR	12/2/02	12/18/02			X	X		X		X		7/3/03	Plant failed to meet regulatory requirements for Eschericia coli Biotype 1 (E. coli).
BERRY PACKING INC. 02325 M02325 P CROSSETT, AR	5/20/02	6/3/02			X	X							
	5/7/03	5/16/03			X	X							

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
BEST BEEF INC 21088 M21088 P IRVING, TX	9/5/03	9/10/03				X								
BLUE RIDGE FARMS OF ILLINOIS 21279 M21279 P PARK FOREST, IL	6/9/03	6/24/03			X	X								
BOB EVANS FARMS 06807 M BIDWELL, OH	8/19/03	8/22/03				X				X				Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
BOOKER PACKING COMPANY 07162 M BOOKER, TX	6/19/03	6/24/03				X					9/9/03			
CARLTON PACKING CO. 09228 M09228 P CARLTON, OR	4/7/03	4/16/03			X	X								
CAVINNESS BEEF PACKERS, LTD. 00675 M HEREFORD, TX	5/23/03	5/30/03				X					8/27/03			
CENTRAL MARKET INC 01286 M01286 P OMAHA, NE	9/12/03	9/18/03			X	X								
CHEF'S REQUESTED 05792 M05792 P OKLAHOMA CITY, OK	6/4/03	6/10/03			X	X	X							
CHESTERTOWN FOODS, INC 00062 P CHESTERTOWN, MD	5/9/03	5/28/03				X					9/11/03			
			9/10/03			X						9/24/03		
CHICAGO BEEF COMPANY 10192 M10192 P DETROIT, MI			5/9/03	5/9/03	X	X						8/27/03		

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
COAST PACKING COMPANY 00724 M VERNON, CA			2/13/03	5/30/03		X						8/19/03	
	3/11/03	3/26/03			X	X							
COLLEGE HILL POULTRY 00533 P FREDERICKSBURG, PA	10/12/01	1/16/02			X	X							
COLORADO MEAT PACKER, INC. 17086 M17086 P DENVER, CO	5/7/03	7/21/03				X				X			Plant produced product that tested positive for E. coli 0157:H7.
CORNBELT BEEF CORP. 10173 M DETROIT, MI			3/21/03	4/8/03	X	X	X					8/27/03	
CREST MEAT COMPANY 13161 M13161 P HAMMOND, LA	4/7/03	4/22/03			X	X					9/19/03		
CUSACK WHOLESALE MEATS 05806 M05806 P OKLAHOMA CITY, OK	5/1/03	5/7/03				X							
CUSTOM MEATS CORP. 07271 M07271 P DALLAS, TX	3/31/03	4/4/03				X							
DAIRY MAN'S MEAT PROCESSING, INC. 00301 M MERCED, CA	6/13/03		7/1/03	7/14/03		X							
DAKOTA FOODS, INC. 07096 M07096 P SIOUX FALLS, SD	1/31/03		3/4/03	3/26/03	X	X						7/29/03	
DALE T. SMITH & SONS PACKING CO. INC 04975 M04975 P DRAPER, UT	8/22/03	9/16/03			X	X							

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
DUTCHMAN'S MEAT INC. 13263 M13263 P FREDERICKSBURG, TX	6/25/03	7/10/03				X								
E.B. MANNING & SONS 00934 M PICO RIVERA, CA	3/21/03	4/2/03				X						9/23/03		
FELLER'S PRE COOKED MEATS 01550 M01550 P NORTH SALT LAKE, UT			9/27/01	10/4/01	X	X								On 08/14/03, DM withdrew inspection service in accordance with FSIS Notice 25-03.
			10/15/01	10/19/01	X	X								On 08/14/03, DM withdrew inspection service in accordance with FSIS Notice 25-03. On 10/15/01, suspension was reinstated.
	1/15/02		1/30/02	2/1/02	X	X								On 08/14/03, DM withdrew inspection service in accordance with FSIS Notice 25-03.
FOOD SERVICE DISTRIBUTORS 06490 M06490 P SPOKANE, WA	3/31/03	4/7/03			X	X						9/26/03		
FOOD SOURCE, LP 13130 M13130 P MCKINNEY, TX	5/15/03	5/23/03				X						8/27/03		
FREMONT BEEF COMPANY 13415 M13415 P FREMONT, NE	5/12/03	5/21/03			X	X								
FRUITLAND DRESSED MEAT 02316 M02316 P JACKSON, MO	4/16/03	4/23/03			X	X								
GIBBON PACKING INC. 05511 M GIBBON, NE	12/17/02	12/24/02			X	X								
GOLDEN COIN FOOD INDUSTRIES 12446 M12446 P HONOLULU, HI	4/18/03	5/7/03	7/10/03	7/17/03	X	X								

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
GOLDEN COIN FOOD INDUSTRIES 12446 M12446 P HONOLULU, HI			8/14/03	8/27/03	X	X	X							On 8/14/03, suspension was reinstated.
GREATER OMAHA PACKING CO., INC. 00960 M OMAHA, NE	9/18/03					X					X			Plant produced product that tested positive for E. coli 0157:H7.
	3/21/03		3/28/03	3/30/03	X	X								
H & H PRODUCTS INCORPORATED 07259 M07259 P MERCEDDES, TX	8/15/03	8/21/03				X								
HAMILTON MEAT PIE CO 02528 M02528 P ROMULUS, MI	9/25/03				X	X								
HI-GRADE MEATS, INC. 04133 M04133 P SALT LAKE CITY, UT	4/3/03	4/11/03			X	X								
HOUSE OF RAEFORD FARMS , INC. 01234 M01234 P ATHENS, MI			1/28/00	2/7/00		X								On 01/28/00, a withholding action was taken. On 02/11/00, plant appealed the suspension. On 02/29/00, plant's appeal was denied. On 03/03/00, plant appealed to a higher FSIS official.
			7/14/02		X									
HOWARD BEEF PROCESSORS 08934 M08934 P PIPESTONE, MN	8/6/03	8/21/03									X			Plant produced and shipped ground product that tested positive for E. coli 0157:H7.
INDEPENDENT MEAT COMPANY 00226 M04863 P TWIN FALLS, ID	3/31/03	4/10/03			X	X								

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
INDUSTRIAL CATERING, INC. 21304 M21304 P GRAND PRAIRIE, TX			5/14/03	5/16/03							X		8/22/03	On 05/14/03, firm violated a regulatory control action by shipping misbranded product.
INTERMEX PRODUCTS USA LTD 13172 M13172 P GRAND PRAIRIE, TX			3/6/03	4/18/03		X							7/8/03	
J F O'NEILL PACKING CO. 00889A M OMAHA, NE	6/20/03		6/26/03	6/27/03	X	X								
J&B MEATS CORP 05712 M05712 P COAL VALLEY, IL	9/4/03	9/18/03			X	X								
JESSE'S FINE MEATS 05704 M05704 P CHEROKEE, IA	7/8/03	7/14/03				X								
JIM'S FARM MEAT 06113 M06113 P ATWATER, CA	1/27/03		2/7/03	3/3/03		X								
JIM'S MARKET & LOCKER INC, 02424 M02424 P HARLAN, IA			4/25/03	4/30/03	X	X	X							
JOBBER'S MEAT PACKING CO., INC. 06251 M06251 P LOS ANGELES, CA	9/19/03				X	X								
JOHN R. MORREALE, INC. 06872 M CHICAGO, IL			6/11/03	6/19/03	X	X	X							
LUCY'S ENTERPRISES INC. 08276 M08276 P KENT, WA			5/16/03	6/3/03		X					X		7/14/03	On 05/16/03, firm cited with operation without Federal inspection and shipped misbranded product.
M & M ITALIAN STYLE FOODS, INC. 02933 M02933 P PONDER, TX	6/19/03	6/26/03				X						9/3/03		

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
MARY'S RANCH, INC. 18911 M MIAMI, FL			4/24/03	4/29/03						X		7/17/03	
MASAMI FOODS INC. 06173 M KLAMATH FALLS, OR	4/1/03	4/4/03			X	X						7/31/03	
MESSINA SLAUGHTER HOUSE 19169 M19169 P ORLAND, CA			2/21/03	5/20/03		X						9/19/03	
MICHIGAN STATE INDUSTRIES 10092 M10092 P JACKSON, MI	5/13/03	5/22/03			X	X						9/10/03	
NATIONAL STEAK AND POULTRY 6010T M6010T P OWASSO, OK	5/15/03	5/23/03			X	X						8/5/03	
NEW HORIZONS MEATS AND DISTRIBUTION L.L.C. 00142 M 00142 P CINCINNATI, OH	9/23/03				X	X	X						
O'BRIEN & CO INC. 05528 M05528 P BELLEVUE, NE			7/3/03	7/7/03		X							
OKLAHOMA BEEF AND PROVISIONS 13146 M13146 P TULSA, OK	5/9/03	5/16/03			X	X	X					8/4/03	
OTTO W. LIEBOLD & CO., INC. 10055 M10055 P FLINT, MI	5/15/03	5/23/03			X	X						8/4/03	
OZARK MOUNTAIN PORK COOP. 21148 M MOUNTAIN VIEW, MO			11/13/02	11/22/02		X							
PACKERLAND PACKING CO., INC. 00562G M GERING, NE	3/17/03	3/28/03				X							

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
PAPA CHARLIE'S 01610 M06960 P CHICAGO, IL	6/23/03	6/27/03			X	X						8/19/03	
PAP'S LOUISIANA CUISINE 13581 M13581 P PRAIRIEVILLE, LA	2/19/03	2/25/03			X	X						7/3/03	
PATTERSON MEAT CO., INC. 02207 M02207 P DALLAS, TX	5/27/03	6/12/03			X	X						8/26/03	
PEDERSON'S NATURAL FARMS, INC. 19617 M19617 P HAMILTON, TX			2/6/03	3/3/03		X						7/3/03	
PEER FOODS GROUP INC 00998 M00998 P CHICAGO, IL			9/25/03	9/30/03	X		X						On 9/22/03, a withholding action was taken.
PENNEXX FOODS 20951 M20951 P PHILADELPHIA, PA	5/27/03	6/6/03			X	X						9/12/03	
PETERSBURG LOCKER INC. 05668 M05668 P PETERSBURG, NE	5/24/02	6/5/02				X							
PORTIONED MEATS, INC. 13095A M13095A P COVINGTON, LA	4/16/03	4/29/03			X	X							
QUALITY BONELESS BEEF COMPANY 02063 M02063 P WEST FARGO, ND			8/13/03	8/19/03		X				X			Plant produced and shipped ground product that tested positive for E. coli 0157:H7.
RAMAR INTERNATIONAL 17480 M17480 P OAKLAND, CA			3/12/03	3/24/03	X							7/8/03	
RANDOLPH PACKING COMPANY, INC. 06590 M ASHEBORO, NC	3/27/03	4/8/03				X						8/20/03	

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
RANDOLPH PACKING COMPANY, INC. 06590 M ASHEBORO, NC			5/19/03	5/20/03				X				8/20/03	
RAY'S MEATS 09305 M09305 P YAKIMA, WA	4/25/03	5/6/03			X	X						9/26/03	
REGGIO'S PIZZA I, INC. 18349 M18349 P CHICAGO, IL			2/28/03	3/11/03	X		X					7/30/03	
RENDULIC PACKING COMPANY 09457 M09457 P MCKEESPORT, PA	6/20/03	6/30/03			X	X							
RICE FIELD CORP. 20153 M20153 P CITY OF INDUSTRY, CA	6/20/03	7/8/03			X	X							
RIVERVIEW PACKING COMP. 19610 M19610 P BURLEY, ID	5/1/03	5/16/03			X	X							
ROYAL PALATE FOODS, INC. 18465 M18465 P INGLEWOOD, CA	1/30/03	3/3/03				X						7/14/03	
S WALLACE EDWARDS & SONS 01636 M17687 P SURRY, VA	12/18/02	12/24/02			X	X						7/31/03	
SALEM PACKING COMPANY INCORPORATED 05425 M SALEM, NJ	11/15/02		11/26/02	12/2/02		X							
SAM KANE BEEF PROCESSORS, INC. 00337 M CORPUS CHRISTI, TX	6/21/02	7/19/02			X		X						
SAN ANGELO PACKING CO., INC. 07209A M SAN ANGELO, TX	7/10/03	7/17/03				X						9/25/03	

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
SAN ANTONIO PACKING CO. 00602 M19684 P SAN ANTONIO, TX			7/22/03	7/24/03		X					X			On 07/22/03, firm violated a regulatory control action by shipping misbranded product.
	7/24/03	7/29/03			X	X								
SCHENK PACKING COMPANY 06056 M06056 P STANWOOD, WA	4/4/03	4/11/03				X								
SHALHOOB MEAT COMPANY 04909 M04909 P SANTA BARBARA, CA	6/13/03	7/2/03			X									
SIMPLOT MEAT PRODUCTS, L.L.C. 00630 M NAMPA, ID	6/18/03	7/2/03			X									
STAGNO'S MEAT CO 02875 M MODESTO, CA			3/6/03	3/10/03				X				8/1/03		
	9/16/03					X								
			9/18/03	9/29/03				X						
STAMPEDE MEAT INC. 19113 M19113 P CHICAGO, IL	7/2/03	7/16/03			X	X	X					9/18/03		
STRAUSS VEAL 02444 M HALES CORNERS, WI	5/15/03	5/22/03			X	X						9/4/03		
SWAN PACKING, INC. 06820 M06820 P DES MOINES, IA	5/15/03	5/21/03			X	X								

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
TECUMSEH POULTRY, LLC 20251 P TECUMSEH, NE	7/2/03	7/11/03			X	X							
TENNCO FOODS, INC. 00803 M ECORSE, MI	5/16/03	5/23/03			X	X					7/28/03		
TILLAMOOK COUNTRY SMOKER 09295 M09295 P BAY CITY, OR	2/21/03	3/5/03			X	X							
TRI STATE BEEF COMPANY INC 01750 M CINCINNATI, OH	8/15/03	9/2/03			X	X							
TYSON FOODS, INC. 00275 P PINE BLUFF, AR	5/16/03	5/22/03			X	X					9/4/03		
TYSON FOODS, INC. 17728 M17728 P VICKSBURG, MS	5/28/03	6/10/03				X					9/30/03		
UNITED MEAT COMPANY, INC. 02869 M02869 P SAN FRANCISCO, CA	2/5/03		2/24/03			X							
VALLEY FOOD SERVICE 06073 M06073 P BAKERSFIELD, CA	8/19/03		8/29/03			X							
VANGUARD CULINARY GROUP 08334 M08334 P FAYETTEVILLE, NC	4/22/03	4/25/03				X					7/30/03		
WAYNE FARMS, LLC/dba DUTCH QUALITY HOUSE 13477 M13477 P BOSSIER CITY, LA	1/14/03	2/13/03			X	X	X						
WEST MISSOURI BEEF 05821 M ROCKVILLE, MO	5/2/03	5/9/03				X					X		Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					<u>SSOP</u>	<u>HACCP</u>	<u>SPS</u>	<u>INH</u>	<u>INT</u>	<u>Other</u>	<u>LOI</u>	<u>LOW</u>	
WEXLER MEAT COMPANY 02570 M CHICAGO, IL	7/15/03	8/1/03			X	X	X					9/17/03	
YOSEMITE MEAT AND LOCKER SERV. INC. 00548 M MODESTO, CA	3/24/03	4/29/03				X						8/4/03	
ZACKY FARMS 00898 M00220 P STOCKTON, CA	3/20/03	4/8/03			X		X					7/30/03	

Table 7. Administrative Actions: **Very Small HACCP Plants
(7/01/03 to 9/30/03)**

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]														
Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					<u>SSOP</u>	<u>HACCP</u>	<u>SPS</u>	<u>INH</u>	<u>INT</u>	<u>Other</u>	<u>LOI</u>	<u>LOW</u>		
4-L PROCESSING INC 19789 M19789 P COKE, TX	8/27/03	9/5/03				X								
A. J. PEACHEY & SONS, INC. 08628 M BELLEVILLE, PA	2/8/02	2/22/02			X	X								On 07/23/03, DM closed case by firm's requested voluntary withdrawal.
AALA MEAT MARKET INC. 12425 M12425 P HONOLULU, HI	7/23/03	7/31/03			X	X								
ACADEMY PACKING CO. INC. 02559 M02559 P DEARBORN, MI			7/19/01	7/24/01		X						8/28/03		
ACME STEAK, INC. 19151 M19151 P YOUNGSTOWN, OH			7/16/03	8/18/03	X	X	X							
AK FOODS, LLC 06463 M BRUSH, CO	9/9/02	9/26/02			X									
AL-AMEER FARMS 19341 M19341 P SARGENT, GA	7/25/03		8/28/03	9/4/03	X	X								
ALLIED PROVISION COMPANY, INC. 10229 M10229 P DETROIT, MI	6/13/03	6/19/03			X	X						8/29/03		
ALMA MEAT COMPANY 04117 M04117 P LOS ANGELES, CA	6/11/03	7/8/03			X	X								

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
ALMACENES DE TEJAS, L.P. 17083 M SAN ANTONIO, TX			10/11/02			X							
ARMBRUSTER MEATS, INC. 05770 M05770 P PERRYVILLE, MO	8/14/03	8/19/03									X		Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
BAD RIVER PACK 05062 M05062 P FORT PIERRE, SD	7/28/03				X	X						7/31/03	
BALTIMORE MEAT AND POULTRY 21772 M21772 P BALTIMORE, MD	7/9/03	7/18/03				X							
BEAVER CITY LOCKER 20172 M20172 P BEAVER CITY, NE			7/23/03	8/8/03		X							
	7/30/03	8/8/03			X	X							
BILLINGS MEATS & PROCESSING 20586 M GORDO, AL	6/17/03	6/27/03			X	X							
BLACK RIVER CUSTOM PACKERS 04419 M WATERTOWN, NY			12/6/01	12/12/01				X				7/17/03	
			3/12/02	3/22/02				X				7/17/03	On 03/12/02, suspension was reinstated.
BOYDS WHOLESALE MEATS 09241 M09241 P KLAMATH FALLS, OR	5/23/03	6/4/03			X	X							
BROADAWAY HAM COMPANY 13035 M13035 P JONESBORO, AR	12/9/02	1/8/03			X	X						8/14/03	

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
BROOKE MEAT PLANT 09699 M09699 P BECHTELSVILLE, PA	6/17/03	6/27/03				X						9/9/03	
BROOKSVILLE MEAT FABRICATION CENTER 09173 M09173 P BROOKSVILLE, KY	7/18/03		7/25/03	8/22/03		X							
BRYANT'S MEATS INC 06697 M06697 P TAYLORSVILLE, MS	8/29/03	9/10/03			X	X							
BUNGE'S MEATS 21603 M21603 P CATAWISSA, PA	11/19/02		12/11/02	6/10/03		X				X		8/27/03	Plant produced product that tested positive for E. coli O157:H7.
BUTCHER VAN GOURMET MEATS 02665 M02665 P JACKSON, NJ	11/12/02	12/2/02			X	X						7/15/03	
C&W MEAT PACKERS 21190 M CYNTHIANA, KY	5/15/03	5/29/03				X						9/19/03	
C. ROY INC 10114 M10114 P YALE, MI	7/29/03	8/4/03			X	X							
CITY WHOLESALE MEATS 05738 M05738 P NEBRASKA CITY, NE	7/17/03	7/22/03			X	X							
CLIFF HIEB'S GERMAN SAUSAGE 20329 M20329 P RUPERT, ID			7/18/03		X	X							
COHOES SPECIALTY MEATS 00593A M06368 P ALBANY, NY			9/9/03	9/11/03		X							
COMMON'S WHOLESALE MEAT 08112 M08112 P IDAHO FALLS, ID	6/2/03	6/9/03			X	X							

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
CONTINENTAL FOODS 07137 M HOT SPRINGS, AR	6/12/02	7/2/02			X	X						8/14/03	
COUNTRY BOY MEATS 09240 M09240 P MERRILL, OR	5/28/03	6/4/03	7/24/03	7/28/03	X	X							
CREATIVE WHOLESALE MEATS 05969 M05969 P FAIRFIELD, CT			6/6/03	6/9/03	X							8/7/03	
CRESCENT CUSTOM SLAUGHTER 06041 M06041 P SUMNER, WA	6/20/03	7/2/03	8/21/03	9/2/03	X	X	X						
D&D CATERING, INC 11203 M11203 P HIALEAH, FL			9/25/03		X	X							
DE VRIES MEATS, INC 10226 M COOPERSVILLE, MI	9/24/03				X	X							
DEL MONTE MEATS 11022 M11022 P POCATELLO, ID	8/7/03	8/21/03				X							
EPMI PROCESSING 21358 M21358 P STERLING, OK	8/5/03	8/6/03			X	X							
FARMERS SLAUGHTER HOUSE 08035 M08035 P MAYFIELD, KY	5/14/03	5/23/03				X						8/22/03	
FIGARETTI MANUFACTURING AND DISTRIB. 20719 M WHEELING, WV			9/17/03	9/23/03	X	X							
FRESH FREEZE, INC. 20104 M EDINBURG, TX			8/21/02		X		X						

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
G.E. HAWTHORN MEAT COMPANY 10620 M HOT SPRINGS, AR	9/17/03				X	X								
GAISER'S EUROPEAN STYLE PROV. 05385 M05385 P UNION, NJ			9/25/01			X								
GATEWAY BEEF COOP 02955 M02955 P OVERLAND, MO	6/6/03	6/19/03			X	X								
GERDING PACKING CO., INC. 10111 M DAVISON, MI	6/17/03	7/2/03			X	X								
GIBSON MEAT CO. 13158 M13158 P LAWTON, OK			8/9/02		X	X	X							On 08/29/03, DM closed case by firm's requested voluntary withdrawal.
GIBSON PACKING COMPANY 05843 M05843 P SEYMOUR, MO	6/30/03	7/9/03				X								
GOOD GUYS FOOD CO. 20350 M20350 P OAKLAND, CA			6/2/03		X	X	X							
GOSS AND SON MEAT COMPANY 13532 M13532 P ROMANCE, AR	7/25/03	7/31/03			X	X								
GRAND CHOICE FOODS, INC. 05506 M05506 P AMES, IA	9/27/02		10/2/02	10/22/02	X	X	X							
GUIYER CATERING 11171 M11171 P HIALEAH, FL	9/22/03				X	X								
HAMNER PROVISION COMPANY 00358 M13427 P SAN ANTONIO, TX	9/18/03	9/26/03				X								

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
HEARTLAND PREMIUM MEATS 21025 M21025 P LA VISTA, NE	7/31/03	8/21/03				X								
HENDERSON MEAT PROCESSORS 01527 M01527 P HENDERSON, NE			8/29/03	9/5/03		X								
	9/2/03					X								
HENRY J'S MEAT SPECIALTIES 01766 M01766 P CHICAGO, IL			3/17/03	3/25/03	X		X							
HOMESTEAD GOURMET FOODS CO. 09947 M09947 P LINDEN, NJ	3/11/03	4/17/03			X									On 09/24/03, a complaint to withdraw inspection was filed by FSIS.
			7/2/03	8/21/03	X	X	X							On 09/24/03, a complaint to withdraw inspection was filed by FSIS. On 08/25/03, plant appealed the suspension. On 09/15/03, plant's appeal was denied.
			9/19/03		X		X							On 09/24/03, a complaint to withdraw inspection was filed by FSIS. On 09/19/03, suspension was reinstated.
HOPKINS PACKING COMPANY 11069 M BLACKFOOT, ID	9/2/03				X	X								
HOUSTON ZERO COLD STORAGE 07106 M07106 P HOUSTON, TX	9/24/02		10/2/02	12/23/02	X	X	X							
INDEPENDENCE CUSTOM MEAT SERVICE, LLC 09273 M09273 P INDEPENDENCE, OR			8/1/03	8/19/03						X				

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
J & K MEAT COMPANY 19305 M19305 P PLEASANT PLAINS, AR	9/25/03				X	X							
J RAGO VEAL COMPANY 02713 M02713 P BOSTON, MA	9/25/03					X							
JACK'S MEAT MARKET 18975 M18975 P NOVI, MI	5/30/03	6/6/03			X	X					9/12/03		
JJ MEAT COMPANY 04969 M04969 P MADERA, CA	12/9/02		12/12/02	12/30/02		X						8/4/03	
JM PACKING, CO. 19804 M19804 P PONCE, PR			1/29/03		X	X						9/26/03	
JONES MEAT & FOOD SERVICE 07722 M07722 P RIGBY, ID	6/18/03	7/2/03			X	X					9/26/03		
KANAB CUSTOM MEATS, INC. 06117 M06117 P KANAB, UT	6/25/03	7/2/03			X	X							
KAYSERMI BASTERMA, INC. 01092 M POUGHKEEPSIE, NY	9/13/02		9/23/02		X	X							On 09/23/03, a complaint to withdraw inspection was filed by FSIS.
LA ESPANOLA MEATS INC. 04827 M04827 P HARBOR CITY, CA	6/19/03	7/8/03				X							
LAGROU COLD STORAGE 00219 I03197 M CHICAGO, IL			5/30/02				X						
LITTLE BLACK PACK 19265 M MEDFORD, WI	4/3/03		4/14/03	4/23/03		X					X		Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
LOEFFEL MEAT LAB 05658 M05658 P LICOLN, NE	9/16/03	9/26/03				X								
LOFTUS MEATS 01420 M01420 P RICHFIELD, UT	7/8/03	7/16/03			X	X								
LOUIE'S WHOLESALE MEATS 10165 M TRAVERSE CITY, MI			6/23/03			X								
MAIN STREET MARKET 05652 M05652 P HUMPHREY, NE	8/18/03	9/16/03			X	X								
MARKS MEAT, INC. 09265 M09265 P CANBY, OR	6/4/03	6/10/03			X	X								
MEACHAM PACKING COMPANY LLC 10692 M10692 P BATESVILLE, AR	7/16/03	7/24/03			X	X								
MEDITERRANEAN FOODS, INC. 18977 M UPPER DARBY, PA	7/7/00			8/22/00		X								
			7/20/01			X								On 07/20/01, suspension was reinstated. On 02/25/02, firm appealed the suspension. On 04/22/02, plant's appeal was denied.
MOTT PACKING COMPANY 02394 M02394 P LEBANON, MO			7/9/03	7/14/03					X					
MOY'S MEAT MARKET, INC. 02796 M02796 P BROOKLYN, NY			6/20/03	6/26/03						X		8/26/03		On 06/20/03, firm violated a regulatory control action by shipping misbranded product.
MR. BASTERMA 18970 M DETROIT, MI			11/22/02		X	X								

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
MT. ANGEL MEAT CO. 09270 M09270 P MT. ANGEL, OR	11/25/02	12/4/02			X	X							
	5/20/03	5/29/03			X	X							
NANTAHALA MEATS & POULTRY, INC. 06591 M06591 P FRANKLIN, NC	5/23/03	6/2/03				X					8/20/03		
NEW MEXICO PACKING 27265 M CLOVIS, NM	3/14/03	4/2/03	6/13/03	6/25/03	X	X							
NOUR HALAL MEAT DISTRIBUTION INC 08616 M IMLER, PA	8/28/03	9/9/03			X	X				X			Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
OLD SANTA FE TRAIL PRODUCTS 13343 M13343 P ALBUQUERQUE, NM	9/28/03				X	X				X			Other pathogen reduction issues.
OLD WORLD GERMAN SAUSAGE 06275 M06275 P OAKLAND, CA	11/6/02		11/14/02	8/4/03		X							
OSU FOOD & AG PROD R&T CTR 00526 M00526 P STILLWATER, OK	9/26/03				X	X							
P & M MEATS INC 20708 M KEYMAR, MD			3/5/03	3/10/03				X	X				
PACFOODS, USA 09889 M09889 P HAYWARD, CA			8/26/02	10/17/02	X	X							

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
PACFOODS, USA 09889 M09889 P HAYWARD, CA			10/23/02		X	X							On 10/23/02, suspension was reinstated.
PECOS VALLEY MEAT CO. 07299 M07299 P ROSWELL, NM	5/23/02	6/12/02	12/16/02	12/31/02	X	X						7/9/03	On 01/24/03, the firm appealed. On 02/10/03, plant's appeal was denied.
PERFECT PASTA, INC. 17605 M17605 P SANDY, UT	5/28/03	6/5/03			X	X							
PHUC HUONG 21607 M21607 P SAN JOSE, CA	11/15/02		12/6/02	1/31/03	X	X							
POOLE'S MEAT PROCESSING 10207 M10207 P STANDISH, MI	6/26/03		7/7/03		X	X							On 09/30/03, DM closed case by firm's requested voluntary withdrawal.
PREMIERE BRAND MEATS 17620 M17620 P MCKINLEYVILLE, CA			5/15/03	5/20/03					X				
RANDALL MEAT COMPANY 10669 M HOT SPRINGS, AR			8/6/02	8/19/02	X	X	X					7/3/03	
RCG FOODS OF TEXAS, INC. 13533 M13533 P EL PASO, TX	5/27/03	6/4/03				X							
REMER MEAT CO 20521 M20521 P CLINTON, MO	8/22/03	8/28/03				X							
RHOTEN WHOLESALE MEAT CO., INC. 05744 M OMAHA, NE	7/21/03	7/25/03				X							
RIGGS QUALITY MEAT INC 10183 M10183 P MARSHALL, MI	9/2/03				X	X							

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
ROBERSONVILLE PACKING CO 22064 M22064 P ROBERSONVILLE, NC	9/12/03	9/24/03				X								
ROBERT'S PACKING CO 02502 M02502 P CHICAGO, IL	9/5/03		9/12/03	9/18/03		X								
RUSS' COMMISSARY 17050 M17050 P HOLLAND, MI	5/27/03	6/4/03			X	X					9/11/03			
SAVORY FOODS CORPORATION 11139 M MIAMI, FL	8/21/03				X	X					9/12/03			
SCHWARTZ MEAT COMPANY 01961 M02961 P NORMAN, OK	1/16/03	1/29/03			X									
SHANNONDALE COUNTRY MKT 20066 M20066 P MAYPORT, PA	4/18/03	4/24/03			X	X	X				8/19/03			
STAR PACKING CO., INC. 02934 M ST. LOUIS, MO			1/8/03	1/10/03	X	X								
SUGARLOAF MARKET, INC. 10652 M10652 P HEBER SPRINGS, AR	8/27/03	9/4/03				X								
SUN SAUSAGE COMPANY 19722 M FLAGSTAFF, AZ	11/4/02		2/24/03	3/5/03		X								
T HO FOODS 19522 M19522 P POWELL, TN	7/8/03	7/17/03			X	X								
T.L. HERRING & CO. 11504 M11504 P WILSON, NC	5/6/03	5/19/03				X					X	8/25/03		Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
TAN DINH FOOD PRODUCTS CORP. 13367 M HOUSTON, TX	1/9/03	1/21/03			X	X						8/25/03	
TASTY FOODS PLACE, INC. 11207 M11207 P HIALEAH, FL			9/16/03		X								
TAYLOR SAUSAGE CO 02392M ST. LOUIS, MO	9/8/03	9/17/03				X							
THE BAYOU CO. 20726 M TARPON SPRINGS, FL	6/25/03		7/7/03		X	X							
THE BUTCHER BLOCK INC. 05653 M INDIANOLA, NE	10/4/02	11/4/02			X	X				X			Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
THE MEAT BLOCK, INC. 10270 M10270 P MUSKEGON, MI	5/28/03	6/3/03			X	X						8/28/03	
THE SMOKE HOUSE 04223 M04223 P DETROIT, MI	9/17/03				X	X							
TRINH COMPANY 06488 M06488 P SAN JOSE, CA	2/18/03		2/28/03	4/29/03		X							
TRIPLE T COUNTRY MEATS 21011W M21011W P WELLSBURG, IA	9/15/03	9/22/03				X							
TRI-WESTERN MEAT PACKING, INC. 00899 M00899 P TOLLESON, AZ	8/4/03	8/21/03			X	X				X			Other pathogen reduction Issues.
UNITED MEAT PRODUCTION, INC. 13583 M13583 P WASHINGTON, OK	3/29/03	4/10/03			X	X							

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
UNIVERSITY OF ARKANSAS RED MEAT RESEARCH ABATTOIR 10600 M10600 P FAYETTEVILLE, AR	9/19/03				X	X	X							
VALLET MEATS 15868 M DUBUQUE, IA			8/21/03	8/22/03	X									
	8/22/03	8/29/03				X								
VALLEY BEEF, INC 27440M WENDELL, ID	9/8/03				X	X	X							
WARD'S, INC. 21119 M21119 P JERSEYVILLE, IL			1/16/02	4/1/02			X	X						On 06/15/03, DM closed case by firm's requested voluntary withdrawal.
			8/15/02	9/19/02			X							On 06/15/03, DM closed case by firm's requested voluntary withdrawal. On 08/15/02, suspension was reinstated.
WORLD'S BEST MEATS 20834 M ANDREW, IA	8/12/03					X					8/19/03			
WRIGHT CITY MEAT CO. INC. 08699 M08699 P WRIGHT CITY, MO	2/11/03	2/24/03			X	X								

Withdrawal for Unfitness

Under the statutes it administers, FSIS also can move to withdraw inspection, after opportunity for a hearing, based on the unfitness of an applicant for or a recipient of inspection because of a felony conviction or more than one violation involving food. **Table 8** identifies actions pending or taken (other than outstanding consent decisions) on this basis for this reporting period. There were two unfitness actions this reporting period.

**Table 8. Withdrawal for Unfitness
(7/01/03 to 9/30/03)**

Administrative Actions Pending or Taken for Unfitness [includes actions initiated in prior quarters]

Establishment	Complaint to Deny/Withdraw Inspection	Consent Order	Consent Decision	Actions
LAKEVIEW PACKING COMPANY, INC. 09166 M 09166 P LA GRANGE, NC	8/6/03			The complaint to withdraw inspection was based on the firm's conviction of conspiracy to violate the Clean Water Act for unlawful discharge of pollutants in waterways.
PHUC HUONG AND PHUC (PAUL) PHAM 21607 M 21607 P SAN JOSE, CA	7/28/03			The complaint to withdraw inspection was based on the responsibly connected individuals' multiple misdemeanor convictions related to food products. The attorney for the firm filed an answer to the complaint on September 15, 2003.

Removing Custom Exempt Privilege

The meat and poultry laws exempt certain operations from inspection. Custom exempt businesses slaughter animals or process meat for owners of the animals or products. When insanitary conditions create health hazards, FSIS may remove custom exempt privileges and require the plant to cease operations until sanitary conditions are restored. FSIS can also take action when custom facilities fail to properly label product as "Not for Sale." These businesses have the opportunity to correct violations prior to such actions. Only new activities would be reflected in this report. There were no actions this reporting period.

CRIMINAL ACTIONS

If evidence is found that a person or business has engaged in violations of the Federal Meat Inspection Act, Poultry Products Inspection Act, or Egg Products Inspection Act, USDA may refer the case to the appropriate United States Attorney to pursue criminal prosecution. Conviction for a criminal offense can result in a fine, imprisonment, or both. **Table 9** lists criminal actions and criminal cases in categories according to the status of the case, which may be indictment or information issued; pleas, convictions, or acquittals, and sentences rendered during this reporting period.

**Table 9. Criminal Actions
(7/01/03 to 9/30/03)**

Criminal Actions

Name	Location	Indictment	Information	Plea	Sentencing	Actions
GREG D. COCHRAN, OWNER (ARKANSAS TRUCK CENTER)	ALMA, AR			9/29/03		On September 29, 2003, in the U.S. District Court, Western District of Arkansas, Mr. Greg Cochran, Owner, Arkansas Truck Center, pled guilty to a charge involving the transportation of adulterated meat products. Sentencing and imposition of fines is scheduled for December 11, 2003.
LAM DISTRIBUTION, LLC. GLENN E. LA MOTTE, CHIEF OPERATING OFFICER	GASTON, SC	7/15/03				On July 15, 2003, in the U.S. District Court, District of South Carolina, Mr. Glenn La Motte was indicted on one (1) misdemeanor count for causing meat food products to become adulterated while being transported in commerce; and one (1) felony count for the transportation of adulterated meat food products.
PALMETTO MOTEL, INC., D.B.A. ORANGEBURG SAUSAGE COMPANY STEVEN BRADLEY LEE, GEN. MGR.	ORANGEBURG, SC	7/15/03				On July 15, 2003, in the U.S. District Court, District of South Carolina, the company and Mr. Steven Bradley Lee were indicted on one (1) felony count for causing meat food products to become adulterated after being transported in commerce with the intent to defraud.
R.W. ZANT COMPANY WILLIAM ZANT, PRES. JOHN ALLEN, MGR.	LOS ANGELES, CA				9/29/03	On September 29, 2003, in the U.S. District Court, Central District of California, the company and two managing officials were sentenced on two (2) misdemeanor counts each involving the sale and offering for sale of adulterated meat food products. The company was placed on a one (1) year probation period, fined \$100,000, and ordered to pay a \$125 special assessment fee. In addition, William Zant and Mr. John Allen were placed on a one (1) year probation period each and ordered to pay \$250 each in fines and special assessment fees.
SHUR-SAV INC., AKA PETE'S SHUR-SAV. PETER SARANDOS, PRES., DANIEL CARTER, MGR. WARREN J. MCCARTY, MGR.	ST. LOUIS, MO	10/17/02		12/13/02		On December 13, 2002, in the U.S. District Court, Eastern District of Missouri, Mr. Carter pled guilty to two (2) misdemeanor counts and Mr. McCarty pled guilty to one (1) misdemeanor for violations to the FMIA. Additional indictments and setting of trial dates is currently pending.

PRE-TRIAL DIVERSION AGREEMENTS

In certain situations, United States Attorneys may enter into Pre-Trial Diversion (PTD) agreements. Under these agreements, the government agrees not to proceed with criminal prosecution if the alleged violator meets certain terms and conditions. The terms and conditions of a PTD are tailored to fit each individual case. FSIS frequently monitors these agreements so that we can assist the U. S. Attorneys in determining whether prosecution should be re-instituted. If the divertee successfully completes the program, no criminal charges are filed. If, on the other hand, the divertee does not successfully complete the program, criminal charges may be reinstated. There were three pre-trial diversion agreements this quarter. The agreements involved three managing officials at a Federal establishment in the Midwestern United States. Two of the individuals were cited for apparent violations to the Federal Meat Inspection Act. One of the individuals was cited for violations involving adulterated products. All three individuals entered into a 12-month pre-trial diversion agreement, with special conditions that include forty hours of community service each. One of the officials cited for apparent violations to the Federal Meat Inspection Act was, in addition, ordered to pay a sum of \$1,425 in restitution to the Department of Agriculture.

CIVIL ACTIONS

FSIS also has authority to seek a variety of civil actions in Federal Court.

Seizures

When FSIS has reason to believe distributed products are adulterated or misbranded, the Agency will, through the U.S. Attorney, institute a seizure action against the product. The product is held pending an adjudication of its status. If the court finds that the product is adulterated or misbranded, it will condemn the product. Condemned product cannot be further processed to be used for human food. Two seizure actions were initiated by FSIS during this reporting period.

**Table 10. Seizure Actions
(7/01/03 to 9/30/03)**

Name	Location	Complaint	Seizures	Action Summary
SEDER FOODS CORP.	PALMER, MA	8/26/03		On August 26, 2003, the United States filed a complaint against the product. The complaint was filed based on USDA officials finding 7,119 pounds, more or less, of meat product and 21,390 pounds, more or less, of poultry product which was misbranded and imported from Canada without an application for importation, presentation for import inspection, or the accompaniment of health certificates.
ROYAL WHOLESALE GROCERIES	JERSEY CITY, NJ	9/8/03		On September 8, 2003, the United States filed a complaint against the product. The complaint was filed based on USDA officials finding 14,379 pounds, more or less, of meat product packed in cases holding misbranded containers imported from Canada without an application for importation, presentation for import inspection, or the accompaniment of health certificates.

Injunctions

FSIS, through the U.S. Attorney, may request a U.S. District Court to enjoin repetitive violators of the FMIA, PPIA, or EPIA. The Agency seeks injunctions to stop uninspected retail stores from processing products without required inspection for wholesale business or to prevent or restrain other violations of law. There were no injunctions reported for the period.

False Claims Act Violations

The Department of Justice Affirmative Civil Enforcement (ACE) program is used by U.S. Attorneys to recover damages when a violation of law involves fraud against the Federal government. Under the False Claims Act, the government may recover three times its estimated losses. FSIS typically seeks action under this program for cases involving products, not in compliance, sold to the military, to public schools engaged in the school lunch program, or to other Federal institutions. There are no ACE program actions reported for this period.

FOR MORE INFORMATION:

Media Inquiries: (202) 720-9113
Freedom of Information Act Requests: (202) 720-2109
Congressional Inquiries: (202) 720-3897
Constituent Inquiries: (202) 720-9113

Consumer Inquiries: Call USDA's Meat and Poultry Hotline at
1-800-535-4555, 10 a.m. to 4 p.m., Eastern Time

FSIS Web site: www.fsis.usda.gov